

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JARLYN ALMONTE and NODGER RIVOLI  
individually, and on behalf of others similarly  
situated,

Plaintiffs,

-against-

FGNY, LLC and FIVE GUYS ENTERPRISES,  
LLC,

Defendants.

24-CV-03889 (MMG)

**ORDER OF DISMISSAL**

MARGARET M. GARNETT, United States District Judge:

The Court having been advised that all claims asserted herein have been settled in principle after mediation, *see* Dkt. No. 8, it is ORDERED that the above-entitled action be and is hereby DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action **within 30 days** of the date of this Order if the settlement is not consummated.

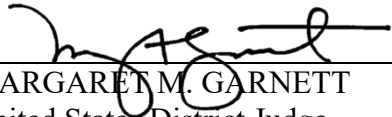
To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis.

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to CLOSE the case.

Dated: January 17, 2025  
New York, New York

SO ORDERED.

  
MARGARET M. GARNETT  
United States District Judge